



**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK  
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**DECEMBER 7, 2015**

Regular meeting of the City Council held on Monday, DECEMBER 7, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Oram, Ossing, Robey, Delano, Elder, Tunnera, Irish and Landers. Meeting adjourned at 9:40 PM.

**Council President Clancy recognized Boy Scout Troop 41, who were in attendance.**

ORDERED: That the Minutes of the City Council meeting NOVEMBER 16, 2015, **FILE**; adopted.

ORDERED: That the **JOINT TAX CLASSIFICATION PUBLIC HEARING** with the Board of Assessors on Monday, DECEMBER 07, 2015 at 8:00 p.m. in Council Chambers, 2<sup>nd</sup> Floor, City Hall, 140 Main Street, Marlborough, MA to determine the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2016. Massachusetts General Laws Chapter 40, Section 56 sets forth the procedures and responsibilities under the law, all were heard who wish to be heard, hearing recessed at 9:01 p.m.

**Councilors Present: Clancy, Oram, Ossing, Robey, Delano, Elder, Tunnera, Irish, & Landers.**

ORDERED: That the transfer of \$45,675.00 (forty five thousand, six hundred seventy five dollars) from Sales of Graves to Offset the FY2016 Tax Levy, **APPROVED**; adopted.

FROM:	
Acct. # 27000-33020	\$45,675.00
Sale of Graves	
TO:	
To Offset 2016 Tax Levy	\$45,675.00

ORDERED: That the transfer of \$600,000.00 (six hundred thousand dollars) from Aquifer Protection to Offset the FY2016 Tax Levy, **APPROVED**; adopted.

FROM:	
Acct. # 61000-31200	\$600,000.00
Aquifer Protection	
TO:	
To Offset 2016 Tax Levy	\$600,000.00

ORDERED: That the transfer of \$1,398,945.46 (one million, three hundred ninety eight thousand, nine hundred forty five dollars and forty six cents) from Overlay Reserve to Offset the FY2016 Tax Levy, **APPROVED**; adopted.

FROM:

Acct. # 10000-32200 \$1,398,945.46  
 Overlay Reserve

TO:

To Offset 2016 Tax Levy \$1,398,945.46

ORDERED: That the residential factor of .818056 which results in a CIP shift factor of 1.37 and produces, based upon the fiscal year 2016 tax levy, a residential tax rate of \$15.34 and a commercial tax rate of \$25.69, **APPROVED**; adopted.

ORDERED: That the Building Department transfer request in the amount of \$6,000.00 which moves funds from Other Interest to Instate Travel for compensation of personal vehicle usage for building permits and inspections, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Building Department					FISCAL YEAR:	2016		
		FROM ACCOUNT:					TO ACCOUNT:			
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$40,000.00	\$6,000.00	17520006	59253	Other Interest	\$6,000.00	12410006	57100	Instate Travel	\$629.72	
	Reason:	Funds available.					High volume of inspections. City vehicle not available			
	\$6,000.00	Total			\$6,000.00	Total				

ORDERED: That the Board of Health transfer request in the amount of \$2,000.00 which moves funds from Contract Services to Office Supplies/Expenses to continue reimbursing sanitarians for mileage related to inspections, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Health and Licensing					FISCAL YEAR:	2016		
		FROM ACCOUNT:					TO ACCOUNT:			
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$7,301.10	\$2,000.00	15120004	53140	Contract Services	\$2,000.00	15120005	54220	Office Supplies/Expense	\$2,032.51	
	Reason:	Funds available.					Additional funds needed for mileage reimbursements			
	\$2,000.00	Total			\$2,000.00	Total				

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Council on Aging Grant from the Commonwealth of MA, Executive Office of Elder Affairs in the amount of \$50,000.00 which will be utilized to purchase items for the Senior Center patio, including furnishings and equipment; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Board of Health Grant from the US Food and Drug Administration in the amount of \$2,500.00 which will be utilized to provide “Person in Charge” training by experienced, certified food instructor to staff from food establishments located in Marlborough; adopted.

ORDERED: That the Appointment of Judith Kane to the Council on Aging who will replace Rita Connors, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That Walker Building Feasibility Study, refer to **OPERATIONS AND OVERSIGHT COMMITTEE AND TO CARRY OVER TO NEW LEGISLATIVE YEAR**; adopted.

ORDERED: That Act on Alzheimer’s Initiative, refer to **OPERATIONS AND OVERSIGHT COMMITTEE AND TO CARRY OVER TO NEW LEGISLATIVE YEAR**; adopted.

ORDERED: That the Minutes, School Committee, October 13, & 27, & November 10, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, November 2, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, October 27, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, September 2, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, November 5, 2015, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Sheryl Taylor, 151 Stow Rd., pothole or other road defect
- b. John Gorman, 65 Brigham Ave.; pothole or other road defect
- c. Martha Cohen, 15 Garvey Rd., Framingham, pothole or other road defect
- d. Christine Monfalcone, 126 Maple St., other property damage

#### Reports of Committees:

Councilor Ossing reported the following Orders from the Finance Committee **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION-CARRIES**.

Order No. 15-1006349-Review of all gifts, grant, donations, and capital accounts for city and schools submitted by Councilor Robey.

Order No. 14/15-1006005A-Proposed Salary Ordinance submitted by Mayor Vigeant.

Order No. 14/15-1006005B-Proposed Amendment to the City Code amending Section 1265-27 entitled, “Use of sick Leave” by increasing the amount of unused sick leave and employee may buy back upon termination of employment from \$1,000.00 to \$5,000.00 submitted by Mayor Vigeant.

## Reports of Committees cont'd:

Councilor Elder reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: December 1, 2015

Time: 5:00 PM

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:00 PM

Adjourned: 5:10 PM

Present: Chairman Elder (Acting); Personnel Committee Members Councilors Irish and Delano (Vice-President, ex-officio member)

Absent: Councilor Tunnera

**Order No. 15-1006324: The Reappointment of Priscilla Ryder as Conservation Officer for a term of three years to begin upon date of approval.** Recommendation of the Personnel Committee is to approve the reappointment of Priscilla Ryder as Conservation Officer for a term of three years. **Motion made by Councilor Delano, seconded by Chair, to approve the reappointment of Priscilla Ryder as Conservation Officer for a term of three years. The motion carried 3-0.**

**Motion made by Councilor Delano, seconded by Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 5:10 PM.**

Councilor Elder reported the following out of the Operations and Oversight Committee:

Meeting Name: City Council Operations & Oversight Committee

Date: December 1, 2015

Time: 5:30 PM

Location: City Council Chambers, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:32 PM

Adjourned: 6:00 PM

Present: Chairman Elder; Operations & Oversight Committee Members Councilors Delano and Landers; Councilor Clancy

Also Present: Mayor Arthur Vigeant; Beverly Sleeper, Chief Procurement Officer

**Order No. 15-1006232: Communication from Mayor Vigeant informing councilors of the receipt of \$50,000.00 from Colonial Power as part of its negotiated municipal aggregation agreement with the City to fund energy efficiency improvements for the City of Marlborough and its residents. Additionally, the Mayor looks forward to working closely with the City Council on the best means to inform Marlborough residents of their options under the current municipal aggregation agreement. (Ossing abstained)**

The Operations and Oversight Committee met with Mayor Arthur Vigeant and Chief Procurement Officer Beverly Sleeper for a discussion regarding the continuation of a municipal aggregation agreement with Colonial Power and the future installation of solar arrays within the City. The committee supported a seven-month contract extension for a rate beneficial to the residents and receipt of a \$25,000 payment for use towards energy savings purposes.

Reports of Committees cont'd:

**Motion made by Councilor Delano, seconded by Councilor Landers, to recommend to the Mayor that he enter into negotiations to approve a 7-month rate, at the rate shown or better, and to receive a payment of \$25,000, in addition to the \$50,000 payment already received by the City, to be used at the discretion of City Council for energy saving purposes. The motion carried 3-0.**

**Motion made by Councilor Delano, seconded by Chair, to request a suspension of the rules to have this voted on at the next full City Council meeting on December 7, 2015. The motion carried 3-0.**

**Motion made by Councilor Delano, seconded by Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 6:00 PM.**

### **Suspension of the Rules requested - granted**

ORDERED: That the Mayor be authorized to enter into negotiations to approve a 7-month rate, at the residential rate of 0.10006¢/kWh or better, and for the City to receive a payment from Colonial Power Group of \$25,000, in addition to the \$50,000 payment already received by the City from Colonial Power Group, to be used at the discretion of City Council for energy savings purposes, **APPROVED**; adopted.

### **Councilor Ossing abstained.**

ORDERED: That the City Council review with the Mayor and City Auditor the Year to Date Budget Report for all gifts, grants, donations and capital accounts for City and Schools for fiscal year 2015, **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION**; adopted.

ORDERED: Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended by amending in Chapter 125, entitled "Personnel," Section 6, entitled "Compensation Schedule," as follows:

- A. Section 6 is hereby retitled "Salary Schedule"
- B. This salary schedule shall take effect July 1, 2015.
- C. Any new hires to the positions listed below who are appointed to their position will begin at Step 1.
- D. The Mayor shall have the authority and discretion to waive any two steps of the salary schedule for all positions, subject to available appropriation.
- E. The positions of City Solicitor, Chief of Staff to the Mayor, Executive Assistant to the Mayor and Executive Assistant to the City Council, as at-will employees, shall be compensated reasonably in any amount up to but not to exceed their Step 7 Maximum.
- F. As allowed under Massachusetts General Law Chapter 41, Section 108O, the positions of Police Chief and Fire Chief are eligible to receive employment contracts provided that their total compensation, including but not limited to salary, stipends and educational incentives does not exceed their Step 7 Maximum.
- G. Any changes to the salary of the Mayor and City Council shall not take effect until January 1, 2016.

<b>Position</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>	<b>Step 7 / Max</b>
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Comptroller - Treasurer	\$104,781.00	\$106,876.62	\$109,014.15	\$111,194.43	\$113,418.32	\$115,686.69	118,000.00
Fire Chief / Police Chief	-	-	-	-	-	-	\$160,000.00
Human Resources Director	\$84,357.00	\$86,044.14	\$87,765.02	\$89,520.32	\$91,310.73	\$93,136.94	\$95,000.00
City Auditor	\$86,133.00	\$87,855.66	\$89,612.77	\$91,405.02	\$93,233.12	\$95,097.77	\$97,000.00
Building Commissioner	\$87,021.00	\$88,761.42	\$90,536.65	\$92,347.38	\$94,194.33	\$96,078.21	98,000.00
City Solicitor	-	-	-	-	-	-	\$113,000.00
City Clerk	\$78,142.00	79,704.84	\$81,298.94	\$82,924.91	\$84,583.41	\$86,275.08	\$88,000.00
Chief of Staff to the Mayor / Executive Assistant to the City Council	-	-	-	-	-	-	\$66,000.00
Executive Assistant to the Mayor	-	-	-	-	-	-	\$50,951.00
Assistant City Solicitor	\$78,936.00	\$80,514.72	\$82,125.00	\$83,767.51	\$85,442.86	\$87,151.72	88,895.00
Chief Procurement Officer	\$73,702.00	\$75,176.04	\$76,679.56	\$78,213.15	\$79,777.41	\$81,372.96	\$83,000.00
Library Director	\$87,909.00	\$89,667.18	\$91,460.52	\$93,289.73	\$95,155.53	\$97,058.64	\$99,000.00
Paralegal	\$38,769.00	\$39,544.38	\$40,335.27	\$41,141.97	\$41,964.81	\$42,804.11	\$43,660.20
Assistant Recreation Director	\$55,054.22	\$56,155.31	\$57,278.41	\$58,423.98	\$59,592.46	\$60,784.31	\$62,000.00
Senior Clerk (nonunion)	\$39,769.00	\$39,544.38	\$40,335.27	\$41,141.97	\$41,964.81	\$42,804.11	\$43,660.19
Mayor							
City Council							

**BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION;** adopted.

ORDERED: Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough, as amended, be further amended as follows:

Section 125-27, entitled "Use of sick leave" is hereby amended by deleting paragraph C. in its entirety and inserting in place thereof the following new paragraph C.:

- C. Upon the termination of employment of a non-union employee, except where the termination is by the City for cause, or upon the death of a non-union employee, the City shall pay to said employee or said employee's beneficiary or estate, whichever is applicable, the value of the employee's accumulated and unused sick leave, not to exceed the amount of \$5,000.00.

**BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION;** adopted.

ORDERED: That the City of Marlborough designate a specific parking space in front of the Police Station that will be reserved for- Marlborough residents to use so they can safely complete online sales and transactions. The parking space will be encouraged to be used during daylight hours for everyone's safety and monitoring purposes. The Marlborough Police Department will keep the area under video surveillance, refer to **OPERATIONS AND OVERSIGHT AND CARRY OVER TO NEW LEGISLATIVE YEAR**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:40 PM.